

**Declaration and Power of Attorney**

As below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **OnSite Backup For Inernet-Based Data Processing** (File No. 03000-P0003C WWW/TMO), the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. To the best of my knowledge, information, and belief the facts stated therein are true.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

None

I hereby claim the benefit under Title 35, United States Code, §120 of the following United States application(s) listed below, and insofar as the subject matter of each of the claims of this Application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

United States Application No. 09/610,709 Filed July 7, 2000

I hereby claim the priority benefits under Title 35, United States Code §119(e) of the following United States provisional application(s) listed below:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and fur-

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Declaration and  
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Applicant: Wesley W. Whitmyer, Jr.

ther that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

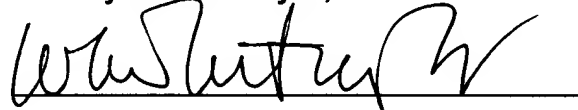
I hereby appoint Wesley W. Whitmyer, Jr., Registration No. 33,558, and Todd M. Oberdick, Registration No. 44,268, of ST.ONGE STEWARD JOHNSTON & REENS LLC; 986 Bedford Street; Stamford, Connecticut 06905-5619; Telephone (203) 324-6155, with full power of substitution, association and revocation, as attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls and correspondence to Wesley W. Whitmyer, Jr. at the above address and telephone number.

Full name of first inventor:

**Wesley W. Whitmyer, Jr.**

Inventor's signature



Date:

3 November 2000

Residence:

Darien, CT

Citizenship:

A citizen of United States

Post Office Address:

198 Old Kings Highway South  
Darien, CT 06820

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Wesley W. Whitmyer, Jr.
Serial No. - Pending	Filing Date: November <u>3</u> , 2000
Title of Application:	OnSite Backup For Inernet-Based Data Processing

Assistant Commissioner for Patents  
Washington, DC 20231

**Verified Statement Claiming Small Entity Status -- Independent Inventor**

As below named inventor, the undersigned declares that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **OnSite Backup For Inernet-Based Data Processing** described in the specification filed herewith.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any right in the invention is listed below:

There is no such person, concern, or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

3 November 00  
Date

Wesley W. Whitmyer, Jr.  
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